

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of this response. Claims 1-34 are currently pending in the present application. Of those, the Substitute Specification and claims 1, 3, 16, 17, 23-30, 33, and 34 have been amended. Claims 1 and 31 are the currently pending independent claims.

## **PRIORITY DOCUMENTS**

Applicants acknowledge and thank the Examiner for the acknowledgement of Applicants' claim for priority under 35 U.S.C. §119. Further, Applicants also acknowledge and thank the Examiner for the indication of the receipt of all of the necessary priority documents in connection with the present application.

## **INFORMATION DISCLOSURE STATEMENT**

Applicants thank the Examiner for the careful consideration of all of the references listed on the Information Disclosure Statement filed April 30, 2004 as indicated by the Examiner's signature on the PTO Form 1449.

## **DRAWING OBJECTIONS**

The Examiner has objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(5) because reference character "21" in FIG. 4e is allegedly not mentioned in the description. The Examiner also submits that the drawings

allegedly do not include reference numeral "16", which is mentioned in the description (e.g., paragraphs [0049] and [0050]).

With regard to the above objections raised by the Examiner, Applicants have amended the specification taking into account the Examiner's suggestions. More specifically, with regard to the Examiner's objection of reference numeral "21" (of FIG. 4e), Applicants have amended paragraph [0049] to include the sentence "A thermally melting adhesive 21 is applied to the detector 7 before the antiscatter grid or collimator is mounted to the detector 7.", and thus reference numeral "21" is now referenced in the Substitute Specification. Further, Applicants respectfully submit that reference numeral "21" refers to the "thermally melting adhesive" originally recited in paragraph [0036] of the Substitute Specification. Accordingly, Applicants respectfully submit that no new matter has been added, but instead, the above amendment to the Substitute Specification merely clarifies subject matter previously set forth, and puts the present application more in accordance with United States Patent and Trademark Office Practice and Procedure. As such, Applicants respectfully request withdrawal of the above objection.

### ***SPECIFICATION OBJECTIONS***

The Examiner has objected to the specification due to alleged informalities. More specifically, the Examiner submits that both instances of

"6b" in paragraph [0047], line 5 of the Substitute Specification, should be replaced by "6b".

Applicants have amended the specification taking into account the suggestions made by the Examiner. Further, Applicants respectfully submit that no new matter has been added by way the amendments to the specification.

### **CLAIM OBJECTIONS**

The Examiner has objected to claims 1, 16, 17, 23-30, 33, and 34 due to alleged informalities. More specifically, the Examiner submits that the word "matricially" allegedly does not exist.

While Applicants do not necessarily agree with the Examiner's allegation that "matricially" does not exist, Applicants have amended claims 1, 3, 16, 17, 23-30, 33, and 34 taking into account the suggestions made by the Examiner.

Further, Applicants note that the present application claims Priority to, and incorporates by reference in its entirety, German Patent Application No. 10241423.8, filed in Germany on September 6, 2002, in German. Prior to being filed in the United States Patent and Trademark Office, the present application was translated from German into English. As such, Applicants respectfully submit that all such amendments made to claims 1, 16, 17, 23-30, 33, and 34 have not been made to overcome any prior art rejections and have been made for no other reason than to improve on the previous translation,

and to put these claims more in accordance with current United States Patent and Trademark Office practice and procedure.

Furthermore, somewhat similar to the amendments discussed above, Applicants have also amended the Substitute Specification to replace instances of "matricially arranged" with "**an array of**", and "matricial" with "**matrix shaped**".

Accordingly, Applicants respectfully request withdrawal of the above objection.

### ***PRIOR ART REJECTIONS***

#### ***Claim Rejections under 35 U.S.C. §102***

Claims 1, 3, 7-17, 25, 26, 31, 33, and 34 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Wei et al. (U.S. Patent No. 5,231,655, hereinafter referred to as "Wei"). Applicants respectfully traverse this rejection.

On page 3 of the outstanding Office Action, the Examiner submits that Wei discloses a method for producing at least one of an antiscatter grid and collimator using "a rapid prototyping technique", relying on column 5, line 42 through column 6, line 53 of Wei. However, Applicants respectfully disagree with the Examiner's conclusion.

Wei discloses a method for forming a collimator including selectively removing material from each of a plurality of collimator plates (Wei; col. 3, ll. 38-40; column 5, lines 1-3). More specifically, Wei discloses removing material

from each of a plurality of collimator plates using photolithographic techniques (Wei; col. 3, ll. 49).

However, Applicants respectfully submit that Wei fails to teach or suggest producing at least one of an antiscatter grid and collimator using "a rapid prototyping technique", as set forth in claim 1, for example. In contrast, Wei discloses a method which requires the removing of material (i.e., etching) from a collimator plate. This in and of itself indicates that the method as disclosed by Wei is not a "rapid prototyping technique", as set forth in claim 1, for example. Accordingly, Applicants respectfully submit that Wei fails to teach or suggest all of the limitations set forth in claim 1.

Further, with regard to claim 31, Applicants respectfully submit that claim 31 is also allowable for at least reasons somewhat similar to those set forth above with regard to claim 1.

With regard to claims 3, 7-17, 25, 26, 33, and 34, Applicants respectfully submit that these claims are also allowable for at least the reasons set forth above with regard to independent claims 1 and 31 from which they depend.

### ***Claim Rejections under 35 U.S.C. §103(a)***

Claims 2, 19-24, and 32 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wei in view of Guru et al. (U.S. Patent No. 6,175,615, hereinafter referred to as "Guru"). Applicants respectfully traverse this rejection.

As discussed above, Applicants respectfully submit that Wei fails to teach or suggest all of the limitations as set forth in claims 1 and 31. Further, on page 4 of the outstanding Office Action, the Examiner recognizes that Wei fails to teach or suggest using a "stereolithography" as the "rapid prototyping technique", as set forth in claim 2, for example, and relies upon Guru for allegedly teaching this limitation.

However, Applicants respectfully submit that even assuming *arguendo* that Guru could be combined with Wei (which Applicants do not admit), Guru would still fail to at least make up for the deficiencies of Wei with respect to claim 1.

Guru is directed to a method of fabricating a collimator, which includes generating a computer-aided drawing (CAD) drawing of a two-dimensional collimator and generating a stereo-lithographic (STL) file or files, which correspond to the CAD drawings. The STL files are then used by machining equipment to machine out material to be removed from a solid slab (workpiece) of radiation absorbing material to form a plurality of focally aligned channels extending through the workpiece (Guru; col. 3, ll. 1-12). However, although Guru arguably creates a stereo-lithographic file, the collimator is not produced using stereolithography. Instead, similar to that which is disclosed by Wei and discussed above, the collimator is formed by removing material and the STL file is merely used to control the machining equipment, which removes the material (Guru; col. 5, ll. 29-31). Accordingly, Applicants respectfully submit

that Guru fails to teach or suggest at least producing at least one of antiscatter grid and collimator using "stereolithography", as set forth in claim 2.

Furthermore, Applicants also submit that Guru fails to teach or suggest at least producing at least one of antiscatter grid and collimator using "a rapid prototyping technique", as set forth in claim 1, for example. In contrast, as discussed above, although Guru arguably creates a stereolithographic file, the file is not used to produce a collimator using stereolithography. Instead, the collimator is produced by removing material, for example, using the stereolithographic file to control a machining device (column 5, lines 29-31). As such, Applicants respectfully submit that Guru fails to teach a "rapid prototyping technique", as set forth in claim 1, let alone a method of "stereolithography" used as the "rapid prototyping technique", as set forth in claim 2, for example.

Accordingly, Applicants respectfully submit that even assuming *arguendo* that Guru could be combined with Wei, Guru would still fail to make up for at least the deficiencies of Wei with respect to claim 1, for example.

Further, with regard to claims 19-24, and 32, Applicants respectfully submit that these claims are also allowable for at least the reasons set forth above with regard to claim 1, 2, and/or 31.

As such, Applicants respectfully request withdrawal of the above rejection.



### ***Claim Rejections under 35 U.S.C. §103(a)***

Claims 6 and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wei in view of Logan (U.S. Patent No. 5,418,833, hereinafter referred to as "Logan"). Applicants respectfully traverse this rejection.

As discussed above, Applicants respectfully submit that Wei fails to teach or suggest all of the limitations as set forth in claim 1. Further, on page 5 of the outstanding Office Action, the Examiner acknowledges that Wei fails to teach or suggest a "coding is performed by at least one of sputtering an electrolytic deposition", as set forth in claims 6 and 18, and relies upon Logan for allegedly teaching these limitations. However, Applicants respectfully submit that even assuming *arguendo* that Logan could be combined with Wei (which Applicants do not admit), Logan would still fail to make up for at least the deficiencies of Wei with regard to claim 1. Accordingly, Applicants respectfully submit that neither Wei nor Logan, either alone or in combination teach or suggest all of the limitations set forth in independent claim 1, and subsequently, dependent claims 6 or 18.

As such, Applicants respectfully request withdrawal of the above rejection.



### ***Claim Rejections under 35 U.S.C. §103(a)***

Claims 1, 3, 4, 6, 7-18, 25-28, 31, 33, and 34 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Logan in view of Wei.

Applicants respectfully traverse this rejection.

Similar to that as discussed above with regard to Wei, Logan discloses a method of creating openings, grooves or microchannels in a substrate by removing material (i.e., by etching; Logan; col. 4, ll. 49-52). More specifically, Logan discloses the use of anisotropic etching or photolithographic methods (Logan; col. 6, ll. 18) for removing material. As such, Applicants respectfully submit that Logan fails to teach or suggest producing at least one of an antiscatter grid and collimator using "a rapid prototyping technique", as set forth in claim 1, for example. In contrast, Logan discloses a method which requires the removing of material (i.e., etching). This in and of itself indicates that the method as disclosed by Logan is not a "rapid prototyping technique", as set forth in claim 1, for example.

Furthermore, as discussed above, Wei also fails to teach or suggest a "rapid prototyping technique", as set forth in claim 1.

Accordingly, Applicants respectfully submit that neither Logan nor Wei, either alone or in combination discloses all of the limitations set forth in claim 1, for example.

Further, with regard to claim 31, Applicants respectfully submit that claim 31 is also allowable for at least reasons somewhat similar to those set forth above with regard to claim 1.

With regard to claims 3, 4, 6, 7-18, 25-28, 33, and 34, Applicants respectfully submit that these claims are also allowable for at least the reasons set forth above with regard to independent claims 1 and 31 from which they depend.

As such, Applicants respectfully request withdrawal of the above rejection.

### ***Claim Rejections under 35 U.S.C. §103(a)***

Claims 2, 19-24, and 32 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Logan in view of Wei and further in view of Guru. Applicants respectfully traverse this rejection.

As discussed above, Applicants respectfully submit that neither Logan nor Wei teaches a "rapid prototyping technique", as set forth in claims 1 and 31.

On page 7 of the outstanding Office Action, the Examiner acknowledges that Logan and Wei fail to teach or suggest using "stereolithography" as the "rapid prototyping technique", as set forth in claim 2, and rely upon Guru for allegedly teaching this limitation. However, as discussed above, Applicants respectfully submit that Guru fails to teach a "rapid prototyping technique", as set forth in claim 1, let alone a method of "stereolithography" used as the "rapid prototyping technique", as set forth in claim 2, for example. Accordingly, Applicants respectfully submit that even assuming *arguendo* that Guru could be combined with Logan and/or Wei (which Applicants do not admit), Guru

would still fail to make up for at least the deficiencies of Logan and/or Wei with respect to claim 1, for example.

Further, with regard to claims 19-24, and 32, Applicants respectfully submit that these claims are also allowable for at least the reasons set forth above with regard to claim 1, 2, and/or 31.

As such, Applicants respectfully request withdrawal of the above rejection.

***Claim Rejections under 35 U.S.C. §103(a)***

Claims 1-34 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Souchay et al. (U.S. Patent Publication No. 2003/0081731, hereinafter referred to as "Souchay") in view of Wei. Applicants respectfully traverse this rejection.

***Souchay Does Not Qualify As Prior Art Under  
35 U.S.C. §§102(a)(e) or 103(a)***

As noted above, the Examiner has kindly acknowledged Applicants' claim for priority and the receipt of all of the necessary priority documents under 35 U.S.C. §119. Further, as indicated on Applicants' Declaration, filed March 11, 2004 and confirmed by the United States Patent and Trademark Office in the Official Filing Receipt dated March 29, 2004, the present Application claims foreign priority under 35 U.S.C. §119 to German Patent Application No. 10241423.8, filed on September 6, 2002. In an effort to perfect Applicants'

claim for priority under 35 U.S.C. § 119, Applicants have filed herewith an English translation of German Patent Application No. 10241423.8, filed on September 6, 2002, from which the present application claims priority.

Under current U.S.P.T.O. Practice and Procedure, upon Applicants perfecting their priority claim and upon the Examiner granting this claim to priority, the date for applying prior art under 35 U.S.C. §102(a) or (e) is the filing date of the foreign priority German application, or in this case September 6, 2002. As the filing date of the foreign priority German application is prior to both the publication date (May 1, 2003) and the filing date (October 11, 2002) of Souchay, Applicants respectfully submit that Souchay does not qualify as prior art under 35 U.S.C. §102(a) or (e).

Therefore, Applicants respectfully submit that the Souchay is not valid prior art, and thus cannot be applied as a prior art reference under 35 U.S.C. §103(a).

Furthermore, as discussed above, Applicants respectfully submit that Wei alone fails to teach or suggest all of the limitations as set forth in independent claims 1 and 31. Accordingly, since Souchay is not a valid prior art reference under 35 U.S.C. § 119, and Wei alone fails to teach or suggest all of the limitations set forth in any of claims 1-34, Applicants respectfully request withdrawal of the above rejection.

## **CONCLUSION**


In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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